

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.20270 OF 2018

Dated:19.06.2018

Between:

BH. Mahalakshmi, D/o. BH. Venkanna,
Hindu, Aged about 59 years, Occ: Panchayat
Secretary, R/o. Usulumannu, Peravali Mandal,
West Godavari District, Andhra Pradesh .. Petitioner

And

The State of Andhra Pradesh, rep.,
by its Principal Secretary, Panchayat
Raj and Rural Development Department,
A.P. Secretariat, Velagapudi, Amaravathi
and others .. Respondents



The Court made the following:

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ORDER:

Heard.

2. Petitioner was appointed as Technical Work Inspector in Tribal Welfare Department and was transferred and posted as Panchayat Secretary in the year 2002 and is working in the said capacity in the State of Andhra Pradesh. The grievance of the petitioner is with reference to the absorption orders as Panchayat Secretary and not granting promotion in the cadre of Grade – I Panchayat Secretary retrospectively from the issuance of G.O.Ms.No.59 dated 27.09.2016.

3. Since the issue relates to the service dispute of employee working in the State of Andhra Pradesh, the employee has to avail the remedy before the Andhra Pradesh Administrative Tribunal (APAT) constituted under the Administrative Tribunals Act, 1985 (for short, 'the Act'). As held by the Supreme Court in ***L. Chandra Kumar v. Union of India***¹, the APAT is the Court of first instance to adjudicate service disputes and an aggrieved employee cannot directly invoke the jurisdiction of this Court.

4. The Writ Petition is accordingly dismissed granting liberty to the petitioner to avail appropriate remedy available under the Act. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:19.06.2018

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¹ AIR 1997 SC 1125